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13 GLEN LITTLETON and the Class

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION
17

18
19 IN RE TESLA, INC. SECURITIES
20 LITIGATION

Case No. 3:18-cv-04865-EMC

**JOINT CASE MANAGEMENT
STATEMENT**

Date: April 15, 2021
Time: 10:30 a.m.
Judge: Hon. Edward M. Chen

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23
24 Lead Plaintiff Glen Littleton ("Lead Plaintiff") and Defendants Tesla, Inc., Elon Musk, Brad
25 W. Buss, Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, and
26 Linda Johnson Rice ("Defendants") (collectively, Lead Plaintiff and Defendants are referred to as
27 the "Parties") submit this Joint Case Management Statement under the Standing Order for All
28 Judges of the Northern District of California and Civil Local Rule 16-10(d).

1 The last status conference in this matter occurred on January 14, 2021, during which the
2 Court ordered a further status conference to occur on April 15, 2021. (ECF No. 306.)

3 **1-7. JURISDICTION AND SERVICE, FACTS, LEGAL ISSUES, MOTIONS,**
4 **AMENDMENT OF PLEADINGS, EVIDENCE PRESERVATION, DISCLOSURES.**

5 There have been no updates to these categories since the Parties' last joint case management
6 statement, filed January 7, 2021. (ECF No. 302.)

7 **8. DISCOVERY.**

8 The current non-expert discovery cut-off is June 15, 2021. The Parties have conferred
9 regarding extending discovery deadlines given that document production is ongoing and no
10 depositions have taken place. The Parties anticipate filing a stipulation with the Court in the
11 coming days to request a modification to the Case Management and Pretrial Order entered by the
12 Court on May 31, 2020 (ECF No. 261). The stipulation will propose extending the non-expert
13 discovery cut-off to late-September 2021 along with similar extensions for other deadlines.

14 On February 24, 2021, Lead Plaintiff served his first set of interrogatories to Elon Musk
15 and Tesla. By agreement of the Parties, Mr. Musk's and Tesla's objections and responses to Lead
16 Plaintiff's interrogatories are due on April 9, 2021.

17 Remaining discovery includes document discovery, depositions, and third-party discovery.
18 The Parties continue to conduct discovery in good faith. The Parties have met and conferred
19 regarding additional document requests from Plaintiff and depositions, including search terms for
20 the document requests and the number of depositions to be taken by Plaintiff beyond the limit
21 specified in FRCP 30(a)(2). The Parties have also met and conferred with the U.S. Securities and
22 Exchange Commission ("SEC") regarding Lead Plaintiff's challenge to certain confidentiality
23 designations in the SEC's production of documents. The Parties also stipulated to the issuance of a
24 request for judicial assistance (Letters Rogatory) to the judicial authorities of the Kingdom of Saudi
25 Arabia, which Magistrate Judge Westmore so-ordered. (ECF No. 314.)

26 At this time, Plaintiff believes judicial intervention may eventually be required with respect
27 to certain confidentiality designations and the number of depositions to be taken by Plaintiff.
28

9. CLASS ACTIONS.

The Parties anticipate submitting a proposed Class Notice and Notice Plan for consideration by the Court in the coming weeks.

10-11. RELATED CASES, RELIEF.

There have been no updates to these categories since the Parties' last joint case management statement, filed January 7, 2021. (ECF No. 302.)

12. SETTLEMENT AND ADR.

On March 9, 2021, the Parties participated in a mediation conducted by Eric Green of Resolutions, LLC for approximately five hours. The Parties did not reach a settlement.

13-20. CONSENT TO MAGISTRATE JUDGE FOR ALL PROCEEDINGS, OTHER REFERENCES, NARROWING OF ISSUES, EXPEDITED TRIAL PROCEDURE, SCHEDULING, TRIAL, DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS, PROFESSIONAL CONDUCT.

There have been no updates to these categories since the Parties' last joint case management statement, filed January 7, 2021. (ECF No. 302.)

1 Dated: April 8, 2021

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28

1 Dated: April 8, 2021

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28 Pursuant to Civil Local Rule No. 5-1(i)(3), all signatories concur in filing this Joint Case
Management Statement.

Dated: April 8, 2021

COOLEY LLP

By: /s/ Patrick E. Gibbs

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